

REMARKS

Claims 1-35 and 98 were pending in this application prior to this paper. Claims 36-97 and 99 were canceled previously. Claims 1 and 98 are amended herein.

The examiner rejected claims 1, 2-6, 10, 13 14-16, 19-22, 27-33 and 98 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 6,344,794 to Ulrich et al. (hereinafter “Ulrich”) in view of U.S. Pat. No. 6,127,917 to Tuttle (hereinafter “Tuttle”) and further in view of U.S. Pat. App. Pub. No. 2002/0092912 to Hamilton et al. (hereinafter “Hamilton”). Independent claims 1 and 98 have each been amended to include the recitation “wherein each of the portable client devices are capable of being used to access information that relates to patients and that is stored on the server.” Such portable client devices having ALL OF the recited capabilities are neither disclosed nor suggested in Ulrich, Tuttle, and Hamilton. It is difficult to understand how the examiner can conclude that a system having a plurality of “portable client devices” that are each usable for locating the user, that are each usable for voice communication, that are each usable to read asset tags, and that are each usable to access patient information is obvious without engaging in impermissible hindsight reconstruction of the claims of the present application. For the foregoing reasons, the combination of elements and limitations recited in independent claims 1 and 98 distinguish over the combination of Ulrich, Tuttle, and Hamilton. Accordingly, claims 1 and 98 along with claims 2-35 that depend either directly or indirectly from claim 1, are in condition for allowance and such action is respectfully requested.

The examiner rejected claims 7 and 8 under 35 U.S.C. § 103(a) as being unpatentable over Ulrich in view of Tuttle and Hamilton and further in view of U.S. Pat. No. 5,949,335 to Maynard. The examiner rejected claims 9, 11, 12 and 23-26 under 35 U.S.C. § 103(a) as being unpatentable over Ulrich in view of Tuttle and Hamilton and further in view of U.S. Pat. App. Pub. No. 2002/0059425 to Belfiore et al. The examiner rejected claims 17 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Ulrich in view of Tuttle and Hamilton and further in view of U.S. Pat. No. 5,561,412 to Novak et al. The examiner rejected claims 34 and 35 under 35 U.S.C. § 103(a) as being unpatentable over Ulrich in view of Tuttle and Hamilton and further in view of U.S. Pat. App. Pub. No. 2001/0051905 to Lucas. Each of these 4-way obviousness rejections is rendered moot because claim 1, from which claims 7, 8, 9, 11, 12, 17,

18, 23-26, 34 and 35 depend either directly or indirectly, is in condition for allowance as noted above.

An earnest attempt has been made to place the application in condition for allowance and such action is respectfully requested. If there are any questions or comments that would speed prosecution of this patent application, the Examiner is invited to call the undersigned at (317) 231-7341. This response has been filed within two months of the September 30, 2009 mailing date of the final Office Action.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response and that shortages in fees, if any, be charged, or any overpayment in fees credited, to the Account of Barnes & Thornburg, Deposit Account No. 10-0435 with reference to attorney docket no. 7175-202220.

Respectfully submitted,

BARNES & THORNBURG LLP

A handwritten signature in black ink, appearing to read "Ronald S. Henderson", with a stylized flourish at the end.

Ronald S. Henderson
Attorney Reg. No. 43669

Indianapolis, Indiana
317-231-7341